

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

GANART TECHNOLOGIES, INC.

VS.

TURNKEY KIOSKS, LLC

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**CIVIL ACTION NO.
3:14-CV-00616-BF**

**PLAINTIFF’S RESPONSE TO DEFENDANT’S
MOTION FOR SUMMARY JUDGMENT**

Plaintiff Ganart Technologies, Inc. (“Ganart”) files this Response to Defendant TurnKey Kiosks, LLC’s (“TurnKey”) Motion for Summary Judgment.

A Brief in Support of this Response satisfying the requirements of Local Rule 56.4 and an Appendix are submitted contemporaneously with this Response. The Brief and Appendix have been designated as Confidential pursuant to the Agreed Protective Order. [Doc. 33].

As set forth in its brief in more detail, Ganart opposes TurnKey’s request for summary judgment because there are genuine disputes as to material facts precluding judgment as a matter of law. Specifically:

1. Ganart’s proprietary material constitutes a trade secret.
2. TurnKey misappropriated Ganart’s trade secrets and provided Ganart’s confidential, proprietary material to third parties.
3. TurnKey breached its contract with Ganart by violating the Non-Disclosure Agreement.
4. Ganart has suffered damages as a result of TurnKey’s misappropriation of trade secrets and violation of the Non-Disclosure Agreement.

Ganart does not oppose TurnKey’s Motion for Summary Judgment on claims for conspiracy and aiding and abetting liability as Ganart has dismissed its claims against Robocoin.

Therefore, Ganart respectfully requests the Court deny TurnKey's Motion for Summary Judgment regarding the claims for violation of the Texas Uniform Trade Secrets Act and breach of contract.

Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFF GANART
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CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2015, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this notice as service of this document by electronic means: David W. Williams and Joshua W. Carden.

/s/ Jonathan C. LaMendola

JONATHAN C. LaMENDOLA